REMARKS

Claims 1-3 and 5-41 are pending with this paper. Claims 12-35 and 37-38 have been withdrawn from consideration. Claims 1-3, 5-11, 36, 39, and 41 are rejected by the Office Action. The Office has not indicated any rejections of claim 40.

Applicant is amending claims 1 and 40. Applicant acknowledges withdrawal of the rejection of claims 1-3, 5, 6, 9, 10, 11, and 39 under 35 U.S.C. 112, second paragraph, in which the reference to "a plurality of rule sets" is unclear.

Other Amendments

Applicant is amending claim 1 to replace "the identification" with "a first article identification" and "an identifier that identifies" and to replace "an identification" with "a second article identification" in order to clarify an antecedent basis. Applicant is amending claim 40 to include the feature of "summing amounts of matching for associated attribute pairs for one of the clothing combinations," which is supported by the specification as originally filed, e.g., pages 25-27.

Claim Rejections – 35 U.S.C. § 112

Claims 1-3, 5-11, 36 and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

The Office Action alleges that (Page 2):

1. There are no steps established for providing the recited effect of selecting clothing having the largest total degree of matching. In essence, this phrase recited nothing more than a desired effect.
2. There is no antecedent basis for "attribute."
3. "Largest total degree" is a relative term; larger than what by comparison?

As will be further discussed, Applicant is amending claim 1 to include the features of "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category" and "obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs." Regarding the first allegation, claim 1 recites comparing attribute pairs for selecting clothing having a largest degree of matching. As claimed, this phrase recites more than a desired effect. Regarding the second allegation, a proper antecedent basis for "each said category attribute pair" is established by "all category pairs." Also, a proper antecedent basis for "all said other attribute pairs" is established by "other attribute pairs." Claims 2-3, 5-11, 36 and 39, which ultimately depend from claim 1, do not further recite "category attribute pair" or "other attribute pair." Regarding the third allegation that "largest total degree is a relative term," claim 1 recites "a largest level of category matching for all category attribute pairs related to the corresponding clothing category" and "the selected clothing combination having a largest degree of matching of all said other attribute pairs." As recited, "largest level" and "largest degree" are not relative terms. Applicant requests reconsideration of claims 1-3, 5-11, 36 and 39.

Claim Rejections – 35 U.S.C. § 103

Claims 1-3, 5, 6, 9, 10, 11, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,930,769 (Rose) in view of US 5,785,181 (Quartararo).

As discussed above, claim 1 is amended to include the features of "transmitting a first article identification of the first article of clothing that is associated with a corresponding clothing category, the search request and a rule identification of the set of rules to a rules engine, wherein the identification of the set of rules identifies one of a plurality of rule sets," "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category," and "obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs." The amendment is supported by the patent application as originally filed, e.g., Paragraphs 37-38, 49-51, and Figure 4. As an example, the present specification (Paragraphs 49-50) discloses different category attribute pairs (e.g., dresses and outerwear) having associated levels of matching and other attribute pairs (e.g., fit attribute and body type attribute) having associated degrees of matching. A selected clothing combination that has different clothing categories is subsequently obtained.

The Office Action alleges that (Page 3):

> Regarding the newly presented limitations of claim 1, insofar as they can be understood, the attribute pair in Rose is read as the pair of selecting a clothing item and body type see col. 8 lines 48 et seq. which produces that largest total matching by the system parameters.

Rose merely discloses suggested fashion shapes (e.g., element 50 as shown in fig. 5) and fashion advise (designer do's and don'ts) based on the customer's body shape. However, Rose fails to even suggest the features of "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a **largest level of category matching for all category attribute pairs** related to the corresponding clothing category, the set of rules providing **an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category** than the corresponding clothing category" and "obtaining a selected identification of a selected clothing combination by **comparing other attribute pairs** that are related to the second article of clothing and that relate a first attribute and a second attribute, each said **other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs.**" (Emphasis added.)

Claims 2-3, 5, 6, 9, 10, 11, 39, and 41 ultimately depend from claim 1. Moreover, Quartararo does not remedy the deficiencies of Rose. Applicant thus requests reconsideration of claims 1-3, 5, 6, 9, 10, 11, 39, and 41.

Claims 1-3, 5-11, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,313,745 (Suzuki) in view of Quartararo.

The Office Action alleges that (Page 5):

Regarding the newly presented limitations of claim 1, insofar as they can be understood, the attribute pair in Suzuki is read as the pair of similarity and brand analysis modules, see col. 6 line 63 which produces the largest total matching as defined by system parameters.

Suzuki merely discloses a selection of a similar item (as determined by similarity analysis module 42 as shown in fig. 5) based on an item taken into a fitting room. However, Suzuki fails to even suggest the features of "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category" and "obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs."

Claims 2-3, 5-11, 36, and 39 depend from claim 1, and Suzuki fails to remedy the deficiencies of Quartararo. Applicant requests reconsideration of claims 1-3, 5-11, 36, and 39.

It is respectfully submitted that the present application is in condition for allowance, and

a Notice to that effect is earnestly solicited.

Respectfully submitted,

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